

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6529

BILL NUMBER: HB 1168

NOTE PREPARED: Mar 5, 2010

BILL AMENDED: Mar 4, 2010

SUBJECT: High School Athletics.

FIRST AUTHOR: Rep. Grubb

FIRST SPONSOR: Sen. Kruse

BILL STATUS: Enrolled

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill directs the State Superintendent to administer the functions of the case review panel that hears cases relating to disputes over the application or interpretation of rules governing interscholastic high school athletics.

The bill provides that a parent may take legal action regarding a dispute over the application or interpretation of the rules after the panel has issued a decision on the case. It requires the panel to issue a written decision on a case not later than 10 days after the panel hears the case. The bill provides that a parent who disagrees with the panel's decision may file a legal action to review the panel's decision not later than 45 days after the panel issues its decision.

The bill allows a student or the student's parent to proceed directly to a court with jurisdiction to resolve a dispute if an interscholastic high school athletics association fails to follow its bylaws regarding hearing and appeals procedures.

The bill directs a high school athletics association in collaboration with the Department of Education (DOE) to study and prepare a report to the General Assembly by December 31, 2010 concerning the impact and the feasibility of allowing a high school student who attends a nonpublic nonaccredited school, a nonpublic school or a charter school that is not a member of an interscholastic athletic association to participate in high school athletics at a public high school that is a member of an interscholastic athletic association, including a study of practices in other states.

The bill makes other changes.

Effective Date: July 1, 2010.

Explanation of State Expenditures: The bill requires the Indiana High School Athletic Association (IHSAA) in collaboration with the DOE to study and prepare a report to the General Assembly by December 31, 2010 concerning the impact and the feasibility of allowing a high school student who attends a nonpublic nonaccredited school, a nonpublic school or a charter school that is not a member of an interscholastic athletic association to participate in high school athletics at a public high school that is a member of an interscholastic athletic association if the public high school is located within the legal settlement of the student. There should be no fiscal impact on the state since the study is to be done by the IHSAA with collaboration with DOE.

There should be no fiscal impact on the state for the changes to the case review panel. The IHSAA is required to pay all costs attributable to the operation of the panel, including travel and a stipend of at least \$50 per meeting for panel members.

Background: The case review panel has nine members that meet monthly depending on the number of cases before the panel.

The State Superintendent or the state superintendent's designee is a member of the panel and is the chairperson of the panel. The remaining eight members are appointed by the state superintendent and must have following qualifications:

1. Four must be parents of high school students.
2. Two must be high school principals.
3. Two must be high school athletic directors.

The expenditures for the panel have varied between \$1,400 and \$2,600 over the last three years. As of December 18, 2009, the panel has spent \$1,635.92 for FY 2010.

Explanation of State Revenues: If the change in procedures affects the number of lawsuits filed in response to the panel's decisions, the court fee revenue may be minimally impacted. The following lists the various court filing fees.

Fee Type	Fee Amount
Civil Filing Fee	\$100.00
Document Storage Fee	\$2.00
Automated Record Keeping Fee	\$7.00
Public Defense Administration Fee	\$3.00
Judicial Insurance Adjustment Fee	\$1.00
Judicial Salaries Fee	\$18.00
Court Administration Fee	\$5.00
Total Civil Fees	\$136.00

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Education.

Local Agencies Affected: Local schools.

Information Sources:

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